

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF ILLINOIS
 EASTERN DIVISION

CARPENTERS FRINGE BENEFIT FUNDS OF ILLINOIS, <i>et al.</i> ,)	
)	
)	
Plaintiffs,)	CIVIL ACTION
)	
vs.)	NO. 08 C 3223
)	
J & L CONCRETE, INC., a dissolved Illinois corporation,)	JUDGE AMY J. ST. EVE
)	
Defendant.)	

AFFIDAVIT

STATE OF ILLINOIS)
) SS.
 COUNTY OF KANE)

DEBORAH L. FRENCH, being first duly sworn upon her oath, deposes and states:

1. I am the Collections Department Manager for the Carpenters Fringe Benefit Funds of Illinois, Fox Valley Construction Workers Fringe Benefit Funds and Lake County Plasterers and Cement Masons Fringe Benefit Funds and in such capacity, I have knowledge of the matters hereinafter set forth and if called as a witness in the instant proceedings I am competent to testify in respect thereto.

2. Among my responsibilities and duties, I am charged with keeping and maintaining records of contributions received by the Plaintiffs from participating employers, maintain individual records on each person, firm, and corporation required to make contributions to the Plaintiffs Funds, receive and record contributions reports made by such persons, firms or

Carpenters v. J & L Concrete, Inc.
Civil Action No. 08 C 3223

corporations, and have under my supervision and direction all books, records, documents and papers relating to such Plaintiffs Funds, and have been delegated the authority by all other Plaintiffs to coordinate and supervise the recovery of delinquent employer contributions on their behalf, receiving thereby access to all necessary information.

3. I have examined the account of Defendant, J & L CONCRETE, INC., a dissolved Illinois corporation, in the above-entitled action, and state that said, Defendant is required to submit monthly contribution reports accompanied by payment of fringe benefit contributions, under the terms of a written agreement specifying and describing such obligation.

4. In my capacity as Collections Department Manager, I have become familiar with the administration of multi-employer fringe benefit funds, and that the custom and usage in maintaining such funds is to require an audit of the payroll books and records of employers required to file contribution reports, in order to determine contributions due such funds.

5. Absent the performance of audits as requested, Plaintiffs have no alternative means by which they can determine with the degree of accuracy required of them by law, the actual contributions which Defendant is required to have made to Plaintiffs and which it has failed to make.

6. I am duly authorized by Plaintiffs in the making of this Affidavit, have personal knowledge of the matters set forth above, and if called as a witness I am competent to testify thereto.

7. I make this Affidavit in support of the application of Plaintiffs for an order requiring audits of the payroll books and records of Defendant for the following time periods:

Carpenters v. J & L Concrete, Inc.
Civil Action No. 08 C 3223

Carpenters - January 1, 2006 forward
Lake County Plasterers - October 1, 2005 forward
Fox Valley Construction Workers - October 1, 2005 forward

and request that this Court consider it as proof in support of the allegations contained in the Complaint and such other facts as herein set forth.

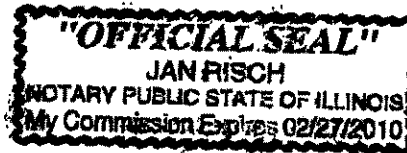
FURTHER AFFIANT SAYETH NOT.

Deborah L. French

DEBORAH L. FRENCH

SUBSCRIBED AND SWORN to
before me this 14th
day of July 2008.

Jan Risch
NOTARY PUBLIC



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CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Affidavit of Deborah L. French) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 15th day of July 2008:

Ms. Anna Maria Rubino, Registered Agent/President
National Cement, Inc.
5054 N. Olympia
Chicago, IL 60656

/s/ Jennifer L. Dunitz-Geiringer

Jennifer L. Dunitz-Geiringer
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/s/ Jennifer L. Dunitz-Geiringer